

REMARKS

The Office Action of May 16, 2003 was received and reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application and for conducting the interview with Applicants' representative wherein the above-presented claim amendments were suggested.

Claims 1-3 and 10-17 are pending in the present application. By this amendment, claims 1-3 and 11-16 have been amended.

Referring to the detailed Office Action, claims 1-3, and 11-16 stand rejected again under 35 U.S.C. §102(b) as anticipated by previously cited Japanese Patent 404152676 (hereafter JP '676). Further, claims 10 and 17 stand rejected again under 35 U.S.C. §103(a) as unpatentable over JP '676, and further in view of Japanese Patent No. 2001028338 (hereafter JP '338). In response to the rejection, and as a result of the interview with the Examiner, Applicants have amended claims 1-3 and 11-16 to further clarify the claim language and to distinguish the presently claimed invention over the cited prior art references.

As discussed during the interview, the channel width direction, the direction perpendicular to a channel length direction, and the direction perpendicular to the carrier flow direction are parallel to the plane of the underlying substrate. Hence, these directions should not be confused with the "film thickness direction" that is perpendicular to the plane of the underlying substrate. Applicants have amended claims 1-3 and 11-16 accordingly so as to clarify these distinguishing features.

Applicants respectfully assert that JP '676 clearly does not teach, disclose, or suggest at least the channel width direction, the direction perpendicular to a channel length direction, and the direction perpendicular to the carrier flow direction, all of which are parallel to the plane of the underlying substrate. The cited prior art references also fail to teach, disclose, or suggest a portion of the channel forming region is concaved or convexed in a channel width direction wherein the channel width direction being parallel to a plane of the substrate

Consequently, since each and every feature of the present claims is not taught (and is not inherent) in the teachings of JP '676, as is required by MPEP Chapter 2131 in order to establish anticipation, the rejection of claims 1-3, and 11-16, under 35 U.S.C. § 102(b), as anticipated by JP '676 would be improper. Further, as JP '676 is deficient as discussed

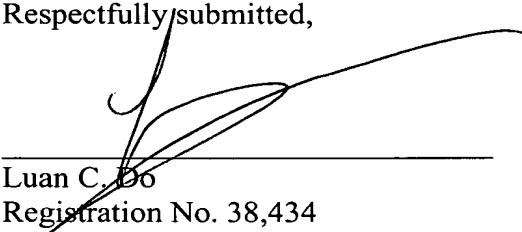
above, in combination with JP '338 is also improper in the §103(a) rejection of claims 10 and 17.

In view of the amendments and arguments set forth above, Applicants respectfully request reconsideration of all the pending rejections.

CONCLUSION

Having responded to the rejection set forth in the outstanding Office Action, it is submitted that claims 1-3 and 10-17 are now in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicants' undersigned representative.

Respectfully submitted,


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